



PATENT
ATTORNEY DOCKET NO.: FRAC-C1-US
CUSTOMER NO: 36038

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
M. Seul et al.)
Serial No. 10/658,070) Group Art Unit:
Filed: 9/9/2003) Examiner:
For: On-Chip Analysis of Particles and)
Fractionation of Particle Mixtures Using)
Light-Controlled Electrokinetic)
Assembly of Particles Near Surfaces; -
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants submit the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed (as checked below):

☐ within three months of the filing date of the above-referenced application

☐ within three months of the date of entry of the national stage in a § 371 application; or

☒ before the mailing of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents, other than the listed U.S. Patents, are attached.

Applicants respectfully request that the Examiner consider the listed documents and

indicate that they were considered by making appropriate notations on the attached PTO 1449 form.

N/A: English translations of the non-English documents are attached.

___ The following is a concise statement of the relevance of the non-English language documents.

___ In lieu of a statement of relevance or translation of the non-English language documents, an English language version of a search report from a foreign patent office in a corresponding application citing these documents and setting forth the relevance thereof is enclosed.

This submission does not represent that: (i) Applicant has read or analyzed any of the documents cited herein, except as otherwise provided; (ii) a search has been conducted; (iii) that no other documents exist which may be material to the examination of this application exist; or (iv) that any of the listed documents, or any part thereof, are material or constitute prior art under title 35 of the United States Code. Applicant reserves the right to present evidence and arguments to counter an assertion that any such documents are prior art, and/or to establish the patentability of the claimed invention. **A copy of the International Search Report from the corresponding PCT application is enclosed but, in accordance with the rules, is not listed on the form 1449.**

Respectfully Submitted,

BY: 

Eric P. Mirabel
Reg. No. 31,211
Bioarray Solutions, Ltd.
35 Technology Drive
Warren NJ 07059
(908) 226 8200 (ext 203)

Applicants) hereby petitions for any extension of time or for any other grounds needed to make this submission timely and proper. The Commissioner is hereby authorized to charge any fees due in connection with this submission and not otherwise covered by payment included herewith, or to credit any overpayment, to Deposit Account No. 502088.

I hereby certify that, on the date indicated below, this correspondence and all attachments indicated herein are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, PO Box 1450, Alexandria VA 22313-1450

By: 

Date: 12/17/03

Please type a plus sign (+) inside this box ☐

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET OF

Complete if Known

Application Number: 10/658,070-

Filing Date: 9/9/2003

First Named Inventor: M. Seul, et al.

Group Art Unit:

Examiner Name:

Attorney Docket Number: FRAC US - C1

Examin er Initials	U.S. Documents	U.S. Patent Document Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
	Number		
	6,132,685	Kercso	10/17/2000

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.